IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4577 OF 2004

Oxford Software Solutions Pvt. Ltd. and ors. ... Petitioners

Versus

State of Maharashtra and Ors. ... Respondents.

None for the petitioners.

Mr. V.P. Vanarse, Assistant Government Pleader, for the State.

CORAM: **KSHITIJ R. VYAS, C.J.** &
DR. D.Y. CHANDRACHUD, J.

DATE: **MARCH 27, 2006**.

P.C.

The petitioners in this petition have, inter alia, prayed for the following reliefs .

"(ii) This Hon'ble Court be pleased to issue a writ of certiorari or such other writ, direction or order in the nature of Writ of Certiorari and quash the Section 154 (2A) of the Maharashtra Co-operative Societies Act, 1960;

(ii) This Hon'ble Court be pleased to issue a Writ of Prohibition or any other writ, direction or order in the nature of Writ of Prohibition and prohibit the Respondent No.2 and their agents, employees or servants from executing the Recovery Certificate dated 30/11/2002 issued by the Respondent No.1 in any manner

whatsoever."

2. As far as relief (ii) is concerned, this Court in *Greater Bombay Co-operative Bank Ltd., Mumbai and another* vs. *Dhillon P.Shah and ors.* [2004 (1) Mh. L.J. 996] has upheld the validity of Section 154 (2A) of the Maharashtra Co-operative Societies Act, 1960 (for short "the Act"). Therefore, the said relief is rejected.

3. As far as relief (iii) is concerned, the petitioners can take recourse to the remedies available under the Act, as this Court cannot be converted into a substitute for the revisional proceedings available under the Act.

4. We see no merits in the petition and the same is rejected.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.